

3.8 Complaints, Grievances & Appeals Policy – Purpose

This policy and related procedure are designed to ensure that TVSA Pilot Training responds effectively to individual cases of dissatisfaction. This policy outlines TVSA Pilot Training's approach to managing complaints, grievances and appeals and ensures that all clients, students, staff and other stakeholders are aware of the steps to take to have their dissatisfaction addressed appropriately.

This policy provides an avenue for all complaints and appeals to be addressed in a fair, efficient and confidential manner.

3.9 Scope

This policy applies to all students, prospective students, clients, staff and other stakeholders of TVSA Pilot Training. This includes:

- Students who are, or would be, entitled to VET Student Loans assistance;
- Students who are not eligible for VET Student Loans assistance.

3.10 Policy

3.10.1 Complaints and appeals systems

Despite all efforts of TVSA Pilot Training to provide satisfactory services to its students, clients, and other people, complaints, grievances and appeals may occasionally arise requiring formal resolution.

TVSA Pilot Training is committed to developing and maintaining an effective, timely, fair and equitable complaints and appeals system which is easily accessible and offered to complainants at no charge.

TVSA Pilot Training aims to:

- Have a client-centred approach to dealing with complaints and appeals
- Treat all complaints and appeals as an opportunity to review its practices, make improvements and prevent events that cause complaints and appeals from recurring
- Ensure that all complaints and appeals are resolved promptly, objectively, with sensitivity and in complete confidentiality
- Ensure that the views of each complainant are respected and that any party to a complaint or appeal is not discriminated against nor victimised
- Ensure that there is a consistent response to complaints and appeals.



Students and others are encouraged, wherever possible, to resolve concerns, difficulties or other grievances directly with the person(s) concerned to deal with the issue before it becomes a formal complaint. TVSA Pilot Training's Instructors and management are available to assist resolve issues at this level.

Complaints and appeals may be made in relation to any of TVSA Pilot Training's services, activities and decisions, its Instructors or other staff, and/or other students of the RTO, such as:

- the application and enrolment process
- the quality of training and assessment provided
- training and assessment matters, including student progress, assessment and outcomes
- access to personal records
- decisions made by TVSA Pilot Training
- the way someone has been treated
- the behaviour of another student

All formal complaints and appeals and their outcomes will be recorded on the Complaints and Appeals Registers. In addition, the register will be regularly reviewed by management and used as an opportunity for improvement and reflection.

All formal complaints and appeals will be responded to in a timely manner to ensure an effective resolution within a reasonable timeframe, usually twenty (20) working days or as soon as practicable. However in some cases, particularly if the matter is complex, the resolution may take longer.

Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:

- Informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and
- Regularly updates the complainant or appellant on the progress of the matter.

Where a student chooses to access this policy and procedure, TVSA Pilot Training will maintain the student's enrolment while the complaints/appeals handling process is ongoing.

TVSA will ensure the student is given an opportunity to formally present his or her case with no cost to the student and be accompanied and assisted by a support person at any relevant meetings.

TVSA will conduct the assessment in a fair, professional and transparent manner. There is no cost to access the complaints and appeals process with TVSA Pilot Training.

A written statement of the outcome of the internal appeal will be provided to the student, outlining reasons for the outcome. A written record of all complaints and appeals handled under this policy and procedure and their outcomes shall be maintained for a period of at least five (5) years to allow

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all parties to the complaint or appeal appropriate access to these records. These records will be maintained at TVSA Pilot Training, Cummins Road, Bacchus Marsh, Victoria, 3340.

All records relating to complaints and appeals will be treated as confidential and will be covered by TVSA Pilot Training's *Information Privacy Policy*.

This policy and related procedure will be made available to students and prospective students through publication in the student handbook.

3.10.2 Making a Complaint – Stage 1

Formal complaints and appeals may be made in writing to the Head Instructor using the Complaints and Appeals Form or other written format. All parties are encouraged to approach matters with an open view and to attempt to resolve problems through discussion and conciliation. Written complaints should include as much information as possible to enable TVSA Pilot Training to investigate appropriately and determine an appropriate solution. This should include:

- The issue you are complaining about – what happened and how it affected you.
- Any evidence you have to support your complaint.
- Details about the steps you have taken to resolve the issue.
- The complainant is invited to include suggestions about how the matter might be resolved.

TVSA Pilot Training will acknowledge receipt of the complaint in writing and the complaint handling process will commence within ten (10) working days of the receipt of the complaint.

Complaints will be investigated by the Head Instructor or their delegate who will then, if necessary, seek to clarify the outcome that the complainant hopes to achieve. Such clarification may be sought by written or verbal request or by face-to-face interview with the complainant. Where such clarification occurs in a face-to-face interview the complainant or respondent may ask another person to accompany them.

The Head Instructor will provide a written response to the complainant including the steps taken to address the complaint which will include the decision and reasons for the decision. This will be provided as soon as practicable and at least within twenty (20) working days. Where the matter is particularly complex, the resolution may take longer, however the complainant will be advised in writing if this is the case.

TVSA will advise students of their right to access an external complaints handling and appeals process within 10 working days of concluding the internal review and provide them with details of the body to contact

The student must reply within (10) working days to advise if they are satisfied or dissatisfied with the result of the complaints process.

TVSA will then immediately implement the decision or recommendation if the student is successful in their complaint/appeal

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3.10.3 Internal Appeal – Stage 2

Where a complainant is dissatisfied with the result or conduct of TVSA Pilot Training's internal procedures for handling of a complaint, the student has the right to lodge an internal appeal of the decision. An appeal must be made in writing using the Complaints and Appeals Form or other written format within ten (10) working days of the decision being made and must outline the reasons why the appeal is being made.

An internal appeal will prompt the Management Team to review the decision made in response to the original complaint. The appellant may be asked to provide further information by phone, in writing or in person.

TVSA Pilot Training acknowledges the need for an appropriate independent party to mediate where an appropriate outcome cannot be reached internally. Additionally, the complainant may request that an independent party be included in the appeals process at their own cost. Where TVSA Pilot Training determines that an independent mediator is required, TVSA Pilot Training will organise for their involvement in the appeals process at its own cost.

The outcome of the internal appeal will be advised in writing within ten (10) working days.

3.10.4 Making an Appeal of an Assessment Decision

A request for an appeal of an assessment decision may be made in writing using the Complaints and Appeals Form or other written format to the CEO providing reasons why the assessment appeal is being made. Assessment appeals must be made within ten (10) working days of the original assessment decision being made.

In the case of an assessment appeal, an internal review of the assessment will occur. As part of this process, where deemed necessary by the CEO, TVSA Pilot Training may appoint an independent assessor to review and make a decision on the assessment.

Outcomes of an assessment appeal will be advised in writing within ten (10) working days.

3.10.5 External Appeal – Stage 3

Where the complainant remains dissatisfied with the outcome of the internal complaints and appeals process, the complainant can lodge an external appeals process through ACPET within ten working days of receiving notice of their outcome of their appeal. Complainants must ensure they have accessed the internal processes first.

Complainants who wish to lodge an external appeal must complete the form for domestic students available at

<http://acpet.edu.au/students/student-support/appeals> and email it to:

student.appeals@acpet.edu.au or post it to: PO Box 551 East Melbourne Vic 8002.

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3.10.6 Contact Details for ACPET:

Australian Council for Private Education and Training (ACPET)

PO Box 551, East Melbourne, Vic 8002

Ph: 1800 657 644

Fax: (03) 9416 1895

Email: acpet@acpet.edu.au

- Once an application is made, ACPET will advise the School of the external review application made by the student. Both the student and the School will be requested to provide documents in support of the application within 14 days, including student files and records, to ACPET. ACPET will then forward all documents to an External Reviewer.
- The External Reviewer considers the documents and makes a determination. The decision and determination is forwarded to ACPET. ACPET will then send the decision to all parties.
- Turnaround time for an appeal is within 4 to 6 weeks of lodgement.
- TVSA Pilot Training agrees to be bound by the External Reviewer's recommendations and the Chief Executive Officer will ensure that any recommendations made are implemented within 30 days of receipt of the report from the external reviewer.

3.10.7 Further Action

If a complaint or grievance remains unresolved after the external appeal, the complainant may decide to refer the matter to a number of external avenues:

National Complaints Hotline 13 38 73, Monday–Friday, 8am to 6pm nationally.

Email: skilling@education.gov.au

Consumer Affairs Victoria - <http://www.consumer.vic.gov.au/contact-us>

Administrative Appeals Tribunal (<http://www.aat.gov.au>)

TVSA Pilot Training's registering body: ASQA.

NOTE:

The VRQA do not investigate complaints about refunds, apprenticeships or traineeships or personal disputes between students and Instructors. The VRQA does investigate breaches of registration standards.

TVSA Pilot Training will provide complete cooperation with the organisation investigating the complaint/appeal and will be bound by the recommendations arising out of this process. The CEO will ensure that any recommendations made are

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implemented within thirty (30) days of being notified of the recommendations.

3.10.8 Withdrawing a Complaint or Appeal

A complainant may withdraw a grievance at any stage in the process by writing to the relevant person handling the grievance or appeal, who will notify relevant parties in writing that the grievance is concluded.

3.10.9 Confidentiality of Complaints or Appeals

TVSA Pilot Training will allow a student access to any records associated with their own individual complaint

TVSA Pilot Training will ensure that all documentation and correspondence associated with a student's complaint will remain confidential

3.10.10 Non-Limitation of Policy

This policy and related procedure do not replace or modify those or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and related procedure limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, this policy does not circumscribe an individual's rights to pursue other legal remedies.

3.10.11 Related Policies

- Continuous Improvement and Quality Assurance Policy
- Information Privacy Policy

3.10.12 Related Procedures and Documents

- Continuous Improvement and Quality Assurance Procedures
- Continuous Improvement Register
- Complaints and Appeals Procedure
- Complaints and Appeals Flowchart
- Complaints and Appeals Register

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